
COMMONWEALTH OF VIRGINIA



OFFICE OF THE Governor's Office

Executive Order 71

ESTABLISHING THE GOVERNOR'S COMMISSION ON RAIL ENHANCEMENT FOR THE 21ST CENTURY

The Commonwealth of Virginia is a leader in providing high-quality passenger and freight rail service. The hard work and dedication of the many Virginians involved in providing and promoting public and private rail service throughout the Commonwealth is a testament both to Virginia's proud history and our bright future.

Establishment of the Commission

By virtue of the authority vested in me under Article V of the *Constitution of Virginia*, and by Section 2.2-134 of the Code of Virginia, I hereby establish the Governor's Commission on Rail Enhancement for the 21st Century (the "Commission").

The Commission is classified as a gubernatorial advisory commission in accordance with Sections 2.2-134, 2.2-135, and 2.2-2100 of the Code of Virginia. The purpose of this Commission shall be to examine the future of rail transportation in the Commonwealth, including the consideration of a Rail Authority. The Commission shall provide leadership on freight and passenger rail issues, policies, and needs, as well as examine options for leveraging private and public funding for rail service and infrastructure across the Commonwealth.

The Commission shall have seven members appointed by the Governor and serving at his pleasure, including a chairman as designated by the Governor. In addition, the Secretary of Transportation and the Secretary of Commerce and Trade, or their designees, and the Director of the Department of Rail and Public Transportation shall serve as ex-officio members of the Commission. Members of the Commission shall serve without compensation. The Governor may add additional members to the Commission at his discretion.

Duties of the Commission

The Commission shall review the Virginia State Rail Plan (the "Plan") and factor the results of the Plan into its recommendations for enhancing rail service and infrastructure in the Commonwealth. The Commission also shall review Senate Bill 413 (2004) and make recommendations regarding the structure, authority, and funding of a Rail Transportation Development Authority, including innovative financing options to expedite freight and passenger rail service. The Commission shall make other recommendations to the Governor as may be appropriate.

The Commission shall make its recommendations in a report to the Governor by December 1, 2004.

Staff Support for the Commission

Such staff support as is necessary for the conduct of the Commission's work during the term of its existence shall be furnished by the Department of Rail and Public Transportation, the Virginia Economic Development Partnership, the Department of Treasury, and such other executive agencies as the Governor may designate. An estimated 200 hours of staff time will be required to support the commission.

Such funding as is necessary for the term of the Commission's existence shall be provided from sources, including both private and appropriated funds, contributed or appropriated for purposes related to the work of the Commission, as authorized by Section 2.2-135(B) of the *Code of Virginia*. Direct expenditures for the Commission's work are estimated to be \$5,000.

This Executive Order shall be effective upon its signing, and shall remain in full force and effect until May 17, 2005, unless amended or rescinded by further executive order. Given under my hand and under the Seal of the Commonwealth of Virginia, this 18th day of May, 2004.

Mark R. Warner, Governor

Attest:

Secretary of the Commonwealth